

Appl. No. 10/052,094
Amdt. Dated May 12, 2005
Request for RCE

APP 1365

REMARKS/ARGUMENTS

In the Final Rejection of March 9, 2005, the Examiner has rejected claims 10, 16, and 17, all of the claims remaining in the application, again, 35 USC 103(a), on the combination of Calhoun patent 6,463,475 in view of Murakawa patent publication US 2001/0020273. The lack of relevance of these references to applicants' invention has been fully set forth in the prior amendments filed in this application, and specifically at page 5-7 of the Amendment entered with the Request for Reexamination of September 14, 2004, and the Amendment of November 3, 2004. Of crucial significance is that Murakawa's teaching is directly opposite to applicants' invention in that in Murakawa a plurality of virtual pipes are required with each external device establishing its own virtual pipe, whereas in accordance with applicants' invention the local device, through a secure hub, causes the establishment of the single virtual pipe and assignment of a secondary IP address. Calhoun, which is even more remote from applicants' invention than Murakawa, is not directed to by passing security access apparatus. While in Calhoun there are virtual pipes or tunnels, these tunnels, for an entirely different purpose, are again established by the external devices and not in response to the local device through a secure hub.

Applicants believe that the Examiner has not fully appreciated the significance and the unexpected advantages of applicants' invention over the use of multiple virtual pipes, as taught by Murakawa. As pointed out at page 1, line 29- page 2, line 3 of applicants' specification, there is an onerous administrative oversight and burden with multiple virtual pipes, which burden is completely obviated by applicants' invention which enables a single virtual pipe to be employed. Following the Murakawa disclosure and teaching the Network Address Translator (NAT) must be reconfigured to give each of the external devices access to the local device, as discussed in Murakawa paragraph 98. Applicants' invention specifically avoids the administrative burden required with such reconfigurations by having only a single virtual pipe, controlled behind the firewall, to give any number of external devices access to the local device.

In the March 9, 2005, Final Rejection the Examiner, in responding to applicants' immediately prior Amendment, has stated that "the features upon which applicant relies (*i.e., the first or local communication device establish the virtual pipe and is assigned the IP address, which gives the local device an appearance on the external network*") are not recited in the rejected claims.

Accordingly, in response to the Examiner's criticism of applicants' prior claims, applicants proposed, in an Amendment after Final Rejection, not entered, to cancel those claims and to submit two new claims 18 and 19 in their stead. These new claims 18 and 19, modified to specify that applicants' invention includes a single virtual pipe, are being submitted again by this Amendment along with the Request for Continued Examination. In the Advisory Action of April 15, 2005, the Examiner had refused to enter that Amendment after Final Rejection stating that the "New claims 18-19 require further

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APP 1365

search and/or consideration.” Applicants accordingly believe that, absent any additional art from such a new search, these claims clearly patentably distinguish from the art now of record in this application.

New claim 18 recites that it is the secure hub which is connected to the public network that includes the interfaces connecting the hub to the public network and also includes the means for establishing the single virtual pipe between the first communication device and itself in response to the first communication device. The secure hub, as recited in new claim 18, also includes the pool of addresses from which one can be assigned to the first communication device and the means for associating the assigned IP address to the single virtual pipe for the first communication device.

Similarly, new claim 19 recites “ a secure hub including routing and switching functionalities, interfaces to the public network, means in response to the first communication device for establishing a single virtual pipe between said secure hub and the first communication device for tunneling communication and bypassing said security access blocking apparatus, and means for assigning a secondary IP address to said first communication device and associating said secondary IP address with said established single virtual pipe, whereby said secondary IP address gives said first communication device a second appearance on said local network”.

The recitations with respect to the secure hub are set forth in applicants’ specification at page 3, line 23 et seq.

Applicants submit that new claims 18 and 19 clearly recite how the secure hub in response to the first communication device establishes the virtual tunnel but also performs other functions not suggested by or performed by Calhoun’s tunnel switch 100, since Calhoun is not concerned with bypassing the firewall, i.e., the security access blocking apparatus, but with managing traffic in a system having a plurality of such tunnel connections to the local network.

Applicants believe that the new claims respond to the objections that the Examiner had asserted in the Final Rejection, namely that the asserted features of applicants’ invention were not recited in applicants’ prior claims. Accordingly, favorable consideration and allowance of new claims 18 and 19 and passage of this application to issue are respectfully requested.

If the Examiner believes it would in any way expedite the prosecution of this application, including any additional language the Examiner considers needed for these new claims, the Examiner is solicited to call applicants’ attorney at the number set forth below.

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APP 1365

Respectfully submitted,

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